

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Application of First)
Choice Technology, Inc., For a Certificate)
of Service Authority to Provide)
Interexchange Telecommunications)
Services in the State of Missouri and for)
Competitive Classification)

Case No. TA-2007-0033
Tariff File No. YX-2007-0046

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and
for its recommendation respectfully states:

1. In the attached Memorandum, labeled Appendix A, the Staff recommends that the Missouri Public Service Commission (Commission) grant First Choice Technology, Inc. (Applicant) a certificate of service authority to provide interexchange telecommunications services. The Commission shall grant an application for a certificate of telecommunications service authority upon a finding that the grant of authority is in the public interest. Sections 392.430 and 392.440 RSMo (2000).

2. Staff recommends that the Commission classify Applicant and its services as competitive. The Commission may classify a telecommunications provider or its services as competitive if the Commission determines it is “subject to sufficient competition to justify a lesser degree of regulation.” Section 392.361.2 RSMo (2000). All services provided by a competitive company must be classified as competitive. Section 362.361.3 RSMo (2000).

3. Staff recommends that the Commission approve the waivers listed in the Notice of Applications. The Commission may waive the application of its rules and

certain statutes if the Commission determines that waiver is consistent with the purposes of Chapter 392. Sections 392.185, 392.361.5 and 392.420.

4. Staff has no objection to Applicant's proposed tariff taking effect on September 8, 2006.

WHEREFORE, Staff recommends that the Commission grant First Choice Technology, Inc. a certificate of service authority to provide interexchange telecommunications services and to classify Applicant and its services as competitive. Staff recommends that the Commission grant the waivers listed in the Notice of Application. Staff recommends that the Commission approve Applicant's tariff effective September 8, 2006.

Respectfully submitted,

/s/ Jennifer Heintz

Jennifer Heintz
Assistant General Counsel
Missouri Bar No. 57128

Attorney for the Staff of the
Missouri Public Service Commission
PO Box 360
Jefferson City, MO 65102
(573) 751-8701 (Telephone)
(573) 751-9285 (Fax)
jennifer.heintz@psc.mo.gov

Certificate of Service

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 21st day of August 2006.

/s/ Jennifer Heintz